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10-27-03 1754
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October 24, 2003

EXPRESS MAIL NO. EV085809992US

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

OCT 29 2003

TC 1700

Re: U.S. Patent Application No. 09/801,023
Title: HYDRAULIC PROPORTIONING SYSTEM
Inventors: William C. Hunt and Neeraj Khanna
Filed: March 7, 2001
Docket No. P1043US01 (C/M 26745-00035)

Dear Commissioner:

Enclosed are the following documents:

- 1) Amendment Transmittal Letter;
- 2) Response to Restriction/Election Requirement; and
- 3) acknowledgment postcard.

You are authorized to charge USPTO deposit account no. 13-0110, should any fees be required. If you have any questions or concerns, do not hesitate to call.

Sincerely,

Bruce P. LaBrie
For the Firm

BPL/knc
Enclosures

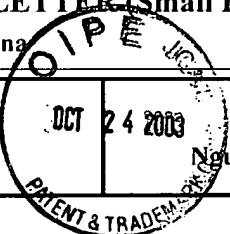
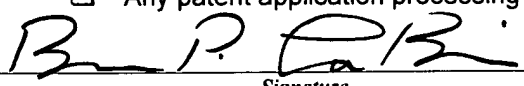
cc: Bio-Cide International, Inc.

1293283.1

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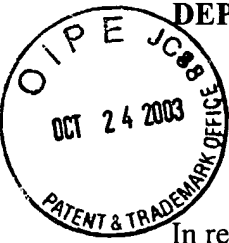
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AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. P1043US01				
Applicant(s): William C. Hunt and Neeraj Khanna								
Serial No. 09/801,023	Filing Date 3/7/2001			Examiner Nguyen, Ngoc Yen M	Group Art Unit 1754			
Invention: HYDRAULIC PROPORTIONING SYSTEM				RECEIVED OCT 29 2003 TC 1700				
<p style="text-align:center"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is an amendment in the above-identified application.</p> <p><input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.</p> <p><input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.</p> <p>The fee has been calculated and is transmitted as shown below.</p>								
CLAIMS AS AMENDED								
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE			
TOTAL CLAIMS	15 -	20 =	0 x	\$9.00	\$0.00			
INDEP. CLAIMS	5 -	6 =	0 x	\$40.00	\$0.00			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00			
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00			
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-0110 A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p> _____ Signature</p> <p>Dated: 10/24/03</p>								
<p>Bruce P. LaBrie, Reg. No. 53,172 Crowe & Dunlevy, P.C. 20 N. Broadway, Suite 1800 Oklahoma City, OK 73102-8273 Tel: (405) 235-7700 Fax: (405) 239-6651</p> <p>CC:</p>								
<table border="1" style="width:100%"><tr><td>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</td></tr><tr><td style="text-align:center"><i>Signature of Person Mailing Correspondence</i></td></tr><tr><td style="text-align:center">Typed or Printed Name of Person Mailing Correspondence</td></tr></table>						I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	<i>Signature of Person Mailing Correspondence</i>	Typed or Printed Name of Person Mailing Correspondence
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<i>Signature of Person Mailing Correspondence</i>								
Typed or Printed Name of Person Mailing Correspondence								

EXPRESS MAIL RECEIPT NO.: EV085809992US
DEPOSITED ON OCTOBER 24, 2003

PATENT
DKT. P1043US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **William C. Hunt and Neeraj Khanna**
Application No.: **09/801,023** Examiner: **Nguyen, Ngoc Yen M**
Filed: **March 7, 2001** Group Art Unit: **1754**
For: **HYDRAULIC PROPORTIONING SYSTEM**

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO FIRST ACTION
RESTRICTION/ELECTION
MAILED OCTOBER 2, 2003

Sir:

This is in response to a first Office Action NOT on the merits. The action is an election/restriction requirement for an election of claims for examination of the above-identified United States patent application.

Remarks

This response is to the Office Action mailed October 2, 2003, in which the Office places a restriction requirement under 35 U.S.C. §121 requiring the Applicants to elect an invention group for prosecution on the merits. The Examiner states that claims 1-13 and 15-16 (Group I) are drawn to a hydraulic system and that claim 14 (Group II) is drawn to a method for producing. The Examiner states that the inventions as claimed in Groups I and II are distinct and therefore require restriction. In response thereto, the Applicants elect, with traverse, to prosecute Group I (claims 1-13 and 15-16). Claim 14 is withdrawn from consideration.

The status of the claims now pending in the present application is as follows:

<u>Claim</u>	<u>Status</u>
1. (Original)	Independent.
2. (Original)	Depends from claim 1.